

## PATENTS

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Fischer

Serial No.: 10/801,042

Filed: March 15, 2004

Confirmation No.: 1243

Group Art Unit: 2617

Examiner: Afshar, Kamran

Docket No.: 50337-1250

**For: Acknowledging Data Transmissions in the Presence of Multiple Shared-Communications Channels**

### COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The Examiner has made statements in the Statement of Reasons for Allowance that may be viewed as an oversimplification of the examination issues, and if taken out of context, could give rise to an improper interpretation of the claims as well as the file history. For these reasons, Applicant provides the following comments to ensure proper interpretation of the claims and history.

While Applicant agrees with the Examiner that the stated reasons for allowance of the claims are indeed valid grounds for allowance, Applicant wishes to clarify for the record that the stated reasons may be viewed as an oversimplification of the issues. Along these lines, first, Applicant does *not* admit that the stated reasons for allowance are the only reasons for allowance, and Applicant contends that the allowance and scope of these claims are in fact *not* limited to the Examiner's stated reasons for allowance. Second, each allowed claim has a different combination of elements, which distinguish each claim from the references of record, and consequently, each claim

should be analyzed separately for infringement and validity. 35 U.S.C. 288. In other words, all of the claims do not stand or fall together, especially and particularly based upon the stated reasons for allowance.

If the Examiner disagrees with any of Applicant's comments herein, Applicant respectfully requests that the Examiner further clarify the record. Otherwise, it should be assumed that the above discussion is an accurate characterization of the file history and interpretation of the claims.

Respectfully submitted,

/BAB/

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